

At Ease

On motion of Senator Moffett, the Senate, at 10:55 o'clock a. m., agreed to stand at ease subject to the call of the Chair.

The President called the Senate to order at 10:56 o'clock a. m.

Senate Concurrent Resolution 27

By unanimous consent, Senator Metcalfe offered at this time the following resolution:

S. C. R. No. 27, Rescinding resolution providing for joint session to hear Honorable Fulton Lewis, Jr.

Whereas, A joint session of the Legislature has been set by S. C. R. No. 25 for 11:00 a. m. Friday, March 5th, in order to hear an address by the Honorable Fulton Lewis, Jr.; and

Whereas, The weather conditions have prevented Mr. Lewis from reaching Austin on this date; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That S. C. R. No. 25, setting a joint session for this date, be, and the same is hereby rescinded.

The resolution was read.

By unanimous consent, the resolution was considered immediately.

The resolution was adopted.

Adjournment

On motion of Senator Mauritz, the Senate, at 11:00 o'clock a. m., adjourned until 10:00 o'clock a. m., Monday, March 8, 1943.

THIRTIETH DAY

(Monday, March 8, 1943)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called, and the following Senators were present:

Aikin	Lanning
Beck	Lemens
Brownlee	Lovelady
Bullock	Martin
Chadick	Mauritz
Graves	Metcalfe
Hazlewood	Moffett
Jones	Moore
Lane	Morris

Ramsey
Shivers
Stone
Sulak

Vick
Weinert
Winfield
York

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered prayer.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of the legislative day of Thursday, March 4, 1943, was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Cotten was granted leave of absence for today on account of illness, on motion of Senator Metcalfe.

Senators Formby, Fain, Spears, and Kelley were granted leave of absence for today and indefinitely on account of important business, on motion of Senator Metcalfe.

Senate Bills on First Reading

The following bills were introduced, read first time, and referred to the committees indicated:

By Senator Aikin:

S. B. No. 258, A bill to be entitled "An Act to amend Article 5436, Revised Civil Statutes of Texas, 1925, by giving authority to the Texas Library and Historical Commission to transfer books and documents to other libraries which are provided for by State appropriations; and to dispose of duplicate books and documents when not needed by the Texas State Library; and declaring an emergency."

To Committee on Education.

By Senator Weinert:

S. B. No. 259, A bill to be entitled "An Act authorizing the State Board of Control to transfer any balance in the support and maintenance fund and in the repairs and improvement fund of any eleemosynary institution in Texas to another, where such funds are not needed in the institution from which either, or both of said funds may be transferred, providing that the Act shall be effective for the current fiscal year and for each fiscal year of the next biennium, authorizing the Comptroller of Public Accounts to make transfer of said sums from one institution to another upon writ-

ten request therefor by the Board of Control concurred in by the Governor; and declaring an emergency."

To Committee on Finance.

By Senator Stone:

S. B. No. 260, A bill to be entitled "An Act to amend Article 484 of the Penal Code of the State of Texas, 1925; and declaring an emergency."

To Committee on Criminal Jurisprudence.

(Senator Moffett in the Chair.)

By Senator Brownlee:

S. B. No. 261, A bill to be entitled "An Act to amend Article 445, Section 4, paragraph 2 of the Revised Civil Statutes of Texas, 1925, prescribing a penalty for the violation thereof; and declaring an emergency."

To Committee on Criminal Jurisprudence.

(President pro tempore in the Chair.)

Senate Joint Resolution 6 on Second Reading

Senator Moore moved that Senate rule 45 be suspended and that S. J. R. No. 6 be taken up for immediate consideration by the Senate.

The motion prevailed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Kelley
Fain	Spears
Formby	

The President pro tempore laid before the Senate for consideration at this time:

S. J. R. No. 6, A joint resolution amending Section 15 of Article XVI of the Constitution of the State of Texas, by adding thereto a provision

that the husband and wife from time to time may in writing partition between themselves in severalty or into undivided interests all or any part of their community property, whereupon without prejudice to the right of existing creditors the portion or interest set aside to each spouse shall be and constitute a part of the separate property of such spouse; further providing that such Constitutional amendment if adopted shall be self-operative and self-executing but that laws may be passed prescribing certain additional requirements; providing for the submission of this amendment to the voters of this State; prescribing the form of ballot; providing for the proclamation and publication thereof; and providing for the necessary appropriation to defray the necessary expenses for the submission of this amendment.

The resolution was read second time and was passed to engrossment by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Kelley
Fain	Spears
Formby	

Senate Joint Resolution 6 on Third Reading

Senator Moore moved that the rule requiring joint resolutions to be read on three several days be suspended and that S. J. R. No. 6 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Chadick
Beck	Graves
Brownlee	Hazlewood
Bullock	Jones

Lane	Morris
Lanning	Ramsey
Lemens	Shivers
Lovelady	Stone
Martin	Sulak
Mauritz	Vick
Metcalf	Weinert
Moffett	Winfield
Moore	York

Absent—Excused

Cotten	Kelley
Fain	Spears
Formby	

The President pro tempore then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—26

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

Absent—Excused

Cotten	Kelley
Fain	Spears
Formby	

Senate Bill 213 on Second Reading

Senator Moore moved to suspend the rules prescribing limitations relative to the consideration of bills during the first 60 days of the Regular Session of the Legislature and that S. B. No. 213 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lanning
Beck	Lemens
Brownlee	Lovelady
Bullock	Martin
Chadick	Mauritz
Graves	Metcalf
Hazlewood	Moffett
Jones	Moore
Lane	Morris

Ramsey	Vick
Shivers	Weinert
Stone	Winfield
Sulak	York

Absent—Excused

Cotten	Kelley
Fain	Spears
Formby	

The President pro tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 213, A bill to be entitled "An Act providing that a husband and wife may by written agreement partition or exchange between themselves any part or all of their community property so that the former community interest of each spouse shall thereafter constitute the separate property of each spouse; and providing the terms under which such agreements may be made; providing that such instruments must be recorded in order to be effective against innocent purchasers for value; and repealing all Acts or parts of Acts in conflict herewith to the extent of such conflict only; and declaring an emergency."

The bill was read second time.

On motion of Senator Moore, the bill was tabled subject to call.

Senate Joint Resolution 7 on Second Reading

Senator Moffett moved that Senate rule 45 be suspended and that S. J. R. No. 7 be taken up for immediate consideration.

The motion prevailed by the following vote:

Yeas—16

Aikin	Mauritz
Beck	Metcalf
Bullock	Moffett
Hazlewood	Moore
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert

Nays—7

Brownlee	Ramsey
Lovelady	Shivers
Martin	Winfield
Morris	

Absent

Graves	York
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Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

The President pro tempore laid before the Senate for consideration at this time:

S. J. R. No. 7, Proposing to amend the Constitution of the State of Texas, by adopting a new Section, which shall provide that the Court of Criminal Appeals of Texas may sit at any time during the year for the transaction of business, and that its term shall begin and end with each calendar year; repealing existing provisions in conflict therewith; providing for the holding of an election; prescribing the form of ballot; directing the Governor to issue the necessary proclamation; and making an appropriation.

The resolution was read second time and was passed to engrossment by the following vote:

Yeas—14

Aikin	Mauritz
Beck	Metcalf
Bullock	Moffett
Jones	Moore
Lane	Sulak
Lanning	Vick
Lemens	Weinert

Nays—9

Brownlee	Ramsey
Hazlewood	Shivers
Lovelady	Stone
Martin	Winfield
Morris	

Absent

Graves	York
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Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

Leave of Absence Granted

On motion of Senator Beck, and by unanimous consent, Senator Chadick was granted leave of absence for today on account of important business.

Senate Joint Resolution 2 on Third Reading

The President pro tempore laid before the Senate on its third reading and final passage:

S. J. R. No. 2, Proposing an amendment to Section 3, Article 24 of the

Constitution by providing for a Regular Session of the Legislature, providing for mileage and per diem of the Members of the Legislature; fixing the time for an election therefor; prescribing the form of ballot; providing for proclamation of such election and the advertisement thereof; and making an appropriation therefor.

The resolution was read third time.

The resolution failed to pass by the following vote (not receiving the necessary two-thirds vote of the Senate's entire membership):

Yeas—19

Aikin	Mauritz
Beck	Moffett
Brownlee	Moore
Bullock	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Weinert
Lovelady	Winfield
Martin	

Nays—4

Lemens	Morris
Metcalf	Vick

Absent

Graves	York
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Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

Senate Resolution 51

Senator Metcalfe, by unanimous consent, offered at this time the following resolution:

Whereas, C. R. Hallmark, one of West Texas' leading citizens is now at the bar of the Senate; now, therefore, be it

Resolved, That Mr. Hallmark be invited to address the Senate at this time and that he be extended the privileges of the floor for today.

METCALFE.

The resolution was read, and by unanimous consent, it was considered immediately and was adopted.

Senate Bill 36 on Second Reading

Senator Shivers moved to suspend the rules prescribing limitations relative to the consideration of bills during the first 60 days of the Regular

Session of the Legislature and that S. B. No. 36 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

The President pro tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 36, A bill to be entitled "An Act making an appropriation of Three Thousand Five Hundred (\$3,500.00) Dollars to the Attorney General for the purpose of printing the Attorney General's annual and monthly opinion reports; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 36 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 36 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

(Senator Winfield in the Chair.)

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Martin	Winfield
Mauritz	York

Nays—1

Lovelady

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

Senate Bill 13 with House Amendments

Senator Lemens called S. B. No. 13 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

The Senate concurred in the House amendments by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

Senate Bill 14 with House Amendments

Senator Lemens called S. B. No. 14 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

The Senate concurred in the House amendments by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

Senate Bill 15 with House Amendments

Senator Lemens called S. B. No. 15 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

The Senate concurred in the House amendments by the following vote:

Yeas—25

Aikin	Lanning
Beck	Lemens
Brownlee	Lovelady
Bullock	Martin
Graves	Mauritz
Hazlewood	Metcalf
Jones	Moffett
Lane	Moore

Morris	Vick
Ramsey	Weinert
Shivers	Winfield
Stone	York
Sulak	

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

Senate Bill 16 with House Amendments

Senator Lemens called S. B. No. 16 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

The Senate concurred in the House amendments by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

Senate Bill 17 with House Amendments

Senator Lemens called S. B. No. 17 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

The Senate concurred in the House amendments by the following vote:

Yeas—25

Aikin	Bullock
Beck	Graves
Brownlee	Hazlewood

Jones	Morris
Lane	Ramsey
Lanning	Shivers
Lemens	Stone
Lovelady	Sulak
Martin	Vick
Mauritz	Weinert
Metcalfe	Winfield
Moffett	York
Moore	

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

Message from the House

Hall of the House of Representatives,
Austin, Texas,
March 8, 1943.

Hon. John Lee Smith, President of
the Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following resolutions:

S. C. R. No. 27, Rescinding S. C.
R. No. 25.

S. C. R. No. 7, Authorizing J. W.
McDugald and others to sue the
State. (With amendments.)

S. C. R. No. 11, Granting permission
to Mr. and Mrs. Frank Lee to sue
the State.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Motion to Take up Senate Bill 144

Senator Lanning moved to suspend
the rules prescribing limitations re-
lative to the consideration of bills
during the first 60 days of the Reg-
ular Session of the Legislature and
that S. B. No. 144 be taken up for
consideration at this time.

The motion was lost by the fol-
lowing vote (not receiving the neces-
sary four-fifths vote of the Senate's
entire membership):

Yeas—24

Aikin	Lemens
Beck	Lovelady
Brownlee	Martin
Bullock	Mauritz
Graves	Metcalfe
Hazlewood	Moffett
Jones	Morris
Lane	Ramsey
Lanning	Shivers

Stone	Weinert
Sulak	Winfield
Vick	York

Absent

Moore

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

Senate Resolution 52

Senator Martin, by unanimous con-
sent, offered at this time the follow-
ing resolution:

Whereas, Mrs. A. J. Rowe, of Fort
Worth, sister of a distinguished Mem-
ber of this body, Senator Alton J.
York, is in the City of Austin and is
now in the Capitol; now, therefore,
be it

Resolved by the Senate of the State
of Texas, That Mrs. A. J. Rowe be-
extended the privileges of the floor
during her visit.

The resolution was read, and by
unanimous consent it was considered
and adopted at this time.

Senate Bills on First Reading

By unanimous consent, the follow-
ing bills were introduced, read first
time, and referred to the committees
indicated:

By Senator Shivers:

S. B. No. 262, A bill to be entitled
"An Act authorizing the creation of
the office of County Purchasing
Agent in all counties of this State
of more than one hundred forty thou-
sand (140,000) and less than two
hundred twenty thousand (220,000)
inhabitants according to the last pre-
ceding or any future Federal Census,
providing for the appointment of such
County Purchasing Agent, prescribing
his duties and fixing his compensation,
prescribing the procedure for County
Purchases of equipment, materials,
and supplies, together with repairs
for the same, prescribing a penalty
for the violation of this Act, repeal-
ing all laws and parts of laws in con-
flict herewith; and declaring an emer-
gency."

To Committee on State Affairs.

By Senator Bullock:

S. B. No. 263, A bill to be entitled
"An Act requiring all persons buying

livestock and all persons who receive livestock for the purpose of sale within ten (10) days thereof, other than his own livestock, to issue to the owner of such livestock, or, duly authorized agent or representative a livestock receipt thereafter showing the kind and number of livestock bought or received for the purpose of sale, the date received, the location of the business where such livestock were bought or received for the purpose of sale, providing such received should be numbered consecutively in the order of their issue; further providing a correct record of such receipts should be kept in a well bound book which shall be at all reasonable hours, open to an examination by any interested party, further providing no two receipts bearing the same number shall be issued by the same person during the same year, nor shall any duplicate receipts be issued, except in the case of a lost or destroyed receipt, in which case the new receipt shall bear the same date and number as the original, and shall be plainly marked on its face, 'Duplicate,' defining the term 'person' as used in this Act and defining the term 'livestock' as used in this Act, prescribing a penalty for the violation thereof; and declaring an emergency."

To Committee on Stock and Stock Raising.

By Senator Bullock:

S. B. No. 264, A bill to be entitled "An Act providing for equalization of taxes in counties having a population of not less than twelve thousand, six hundred ninety three (12,693) nor more than thirty thousand (30,000), according to the last Federal Census, and containing a valuation of Twenty-five Million (\$25,000,000.00) Dollars or more; providing for control of public schools and educational interests of such counties; providing for the maximum equalization tax to be voted hereunder; providing for the qualifications of voters and setting out the conditions for holding an election and fixing the form of the ballot and the manner of holding said election; providing for the valuation of the taxable values and setting forth the duties of the tax collector of the counties to collect the taxes, and his duties in reporting to the county board of school trustees and the county super-

intendent; designating the county superintendent as treasurer of the countywide equalization district and describing his duties; providing for county depository of the funds collected hereunder; providing for the distribution of the monies and providing that the powers imposed hereunder on the trustees of any common or independent school district within the counties affected shall not be changed; and declaring an emergency."

To Committee on Education.

By Senator York:

S. B. No. 265, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to buy property or to sell or lease property providing that the property shall be held in the name of the State of Texas for the benefit of the Agricultural and Mechanical College of Texas providing that the Chairman of the Board of Directors may execute these conveyances in the name of the State of Texas providing that abstracts of title and/or insurance may be secured; and declaring an emergency."

To Committee on Departments and Institutions.

Motion to Take up Senate Bill 152

Senator Mauritz moved to suspend the rules prescribing limitations relative to the consideration of bills during the first 60 days of the Regular Session of the Legislature and that S. B. No. 152 be taken up for consideration at this time.

The motion was lost by the following vote (not receiving the necessary vote of four-fifths of the Senate's entire membership):

Yeas—22

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Graves	Morris
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lovelady	Weinert
Martin	Winfield

Absent

Lemens	York
Ramsey	

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

Call of the Senate

Senator Moore moved a call of the Senate for the purpose of maintaining a quorum until 12 o'clock noon, today, and the call was duly seconded.

The call of the Senate then was ordered by the following vote:

Yeas—18

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Bullock	Moffett
Graves	Moore
Hazlewood	Morris
Jones	Shivers
Lane	Stone
Lanning	Sulak

Nays—4

Lovelady	Weinert
Vick	Winfield

Absent

Lemens	York
Ramsey	

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

The Presiding Officer instructed the Sergeant-at-Arms to enforce the attendance of the absentees.

Senator Shivers raised the point of order that the Presiding Officer does not have authority to instruct the Sergeant-at-Arms to enforce the attendance of the absentees unless the enforced attendance of the absentees has been ordered by a majority of the Senators present.

The Presiding Officer (Senator Winfield) sustained the point of order.

(President pro tempore in the Chair.)

Senate Bill 144 on Second Reading

Senator Lanning moved to suspend the rules prescribing limitations relative to the consideration of bills during the first 60 days of the Regular Session of the Legislature and that S. B. No. 144 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

The President pro tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 144, A bill to be entitled "An Act providing for placing certain special funds in the General Revenue Fund of the State of Texas and especially transferring a portion of the surplus from the Operator's and Chauffeur's License Fund to the General Revenue Fund of the State of Texas; and declaring an emergency."

The bill was read second time.

On motion of Senator Moore, and by unanimous consent, the bill was amended by striking out "Fifty Thousand (\$50,000.00) Dollars" and inserting in lieu thereof "Seventy-five Thousand (\$75,000.00) Dollars."

The bill was passed to engrossment.

Senate Bill 144 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 144 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Jones
Beck	Lane
Brownlee	Lanning
Bullock	Lemens
Graves	Lovelady
Hazlewood	Martin

Mauritz	Stone
Metcalfe	Sulak
Moffett	Vick
Moore	Weinert
Morris	Winfield
Ramsey	York
Shivers	

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

Senate Bill 152 on Second Reading

Senator Mauritz moved to suspend the rules prescribing limitations relative to the consideration of bills during the first 60 days of the Regular Session of the Legislature and that S. B. No. 152 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

The President pro tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 152, A bill to be entitled "An Act to amend Article 5940, Title 99, of the Revised Civil Statutes of Texas, 1925, as amended by Section 1, Chapter 9, Acts of the Regular Session of the Fortieth Legislature, as amended by Section 1, S. B. No. 262, Acts of the Regular Session of the Forty-sixth Legislature, as amended by Section 1, Chapter 528, Acts of the Regular Session of the Forty-seventh Legislature, so as to provide anyone under twenty-one (21) years of age who has had his disabilities removed, shall be eligible for appointment as a notary public provided such person shall furnish the Secretary of State a certified copy of the judgment removing such disabilities; and declaring an emergency."

The bill was read second time and was passed to engrossment.

(Senator Beck in the Chair.)

Senate Bill 152 on Third Reading

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 152 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalfe
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

(President pro tempore in the Chair.)

Senate Bill 150 on Second Reading

Senator Aikin moved to suspend the rules prescribing limitations relative to the consideration of bills during the first 60 days of the Regular Session of the Legislature and that S. B. No. 150 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 150, A bill to be entitled "An Act to amend Article 666, Title 20, Chapter 4, Revised Civil Statutes of Texas 1925, to provide for a method of selling, disposing or transferring of State property which has become unfit for use, or no longer needed; providing a notice of sale; and providing for disposition of moneys received from sale; and providing for a final report covering sale and disposition."

The bill was read second time.

Senator Aikin offered the following (committee) amendments to the bill:

(1)

Amend S. B. No. 150 by adding before the word "property" in line 14, the word "personal."

(2)

Amend S. B. No. 150 by adding after the word "property" in line 14, the words: "is less than \$100 and."

The committee amendments were adopted severally.

The bill was passed to engrossment.

Message from the House

Hall of the House of Representatives,
Austin, Texas,

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution: H. C. R. No. 60, Inviting Senor Francisco Javier Gaxiola to address a joint session of the House of Representatives and Senate at 11:30 a. m., Monday, March 8, 1943.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Bill 47 on Second Reading

Senator Lanning moved to suspend the rules prescribing limitations relative to the consideration of bills during the first 60 days of the Regular Session of the Legislature and that S. B. No. 47 be taken up for consideration at this time:

The motion prevailed by the following vote.

Yeas—25

Aikin	Metcalf
Beck	Moffett
Brownlee	Moore
Bullock	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York
Mauritz	

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

The President pro tempore laid before the Senate on its second reading and passage to engrossment:

S. B. No. 47, A bill to be entitled "An Act amending Article 608 and

613 of Title 20, Chapter 2 of the Revised Civil Statutes of 1925 so as to enable the Board of Control to invite bids on printing, binding, stationery, and supplies of like character, estimated to cost less than One Hundred (\$100.00) Dollars without publishing the proposed letting, and prescribing the method by which the Board of Control notifies the successful bidder of the amount of the bond or certified check required; and declaring an emergency."

The bill was read second time.

Senator Lovelady offered the following amendment to the bill:

Amend S. B. No. 47 by changing the words and figures "(\$100.00)" where they appear in the bill and in the caption and substitute in lieu thereof the following: "(\$50.00)."

Senator Brownlee moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—18

Beck	Moffett
Brownlee	Moore
Bullock	Ramsey
Graves	Stone
Hazlewood	Sulak
Jones	Vick
Lane	Weinert
Lemens	Winfield
Martin	York

Nays—5

Aikin	Mauritz
Lanning	Metcalf
Lovelady	

Absent

Morris	Shivers
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Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

The bill was passed to engrossment.

Senate Bill 47 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 47 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Brownlee
Beck	Bullock

Graves	Moffett
Hazlewood	Moore
Jones	Morris
Lane	Ramsey
Lanning	Stone
Lemens	Sulak
Lovelady	Vick
Martin	Weinert
Mauritz	Winfield
Metcalf	York

Absent

Shivers

Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—22

Aikin	Mauritz
Beck	Metcalf
Brownlee	Moffett
Bullock	Moore
Graves	Ramsey
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lemens	Winfield
Martin	York

Nays—1

Lovelady

Absent

Morris	Shivers
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Absent—Excused

Chadick	Formby
Cotten	Kelley
Fain	Spears

Bills and Resolution Signed

The President pro tempore signed, in the presence of the Senate, after giving due notice thereof, the following enrolled bills and resolution:

H. C. R. No. 33, Providing for a Postwar Economic Planning Commission.

H. B. No. 142, A bill to be entitled "An Act amending Section 1 of Chapter 36 of the General Laws of the Regular Session of the Forty-seventh

Legislature so as to provide for erecting a monument in memory of Captain William M. Logan, in Liberty, Texas, instead of in Old Allen Cemetery in Houston, Texas, and making an appropriation of Four Hundred (\$400.00) Dollars therefor, and providing for the right of acceptance of private donations; the location of such monument to be selected by the County Judge of Liberty County, Texas; and declaring an emergency."

H. B. No. 353, A bill to be entitled "An Act to amend Subsection 86 of Article 199, Title 8, of the Revised Statutes of Texas, 1925, so as to change the time and terms of holding the 86th District Court in Kaufman, Van Zandt, and Rockwall Counties, constituting the 86th Judicial District of Texas; etc; and declaring an emergency."

New Member of Committee on Education

The President pro tempore laid before the Senate, and had read, the following letter of resignation:

March 8, 1943.

Hon. John Lee Smith, Lieutenant Governor of Texas.

Dear Governor Smith: Please accept my resignation as a Member of the Educational Affairs Committee pending my return to this Session of the Legislature.

Due to my inability to be present for committee meetings I feel that someone else should be named to fill my place in the committee during my absence.

Respectfully yours,

MARSHALL FORMBY.

The President pro tempore announced the acceptance of the resignation and the appointment of Senator Morris as a Member of the Committee on Education in the place of Senator Formby, resigned.

Adjournment

On motion of Senator Vick, the Senate at 12:20 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

THIRTY-FIRST DAY

(Tuesday, March 9, 1943)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President pro tempore.

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Bullock	Moore
Chadick	Morris
Graves	Ramsey
Hazlewood	Shivers
Jones	Stone
Lane	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered prayer.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence Granted

Senator Cotten was granted leave of absence for today and indefinitely on account of illness, on motion of Senator Mauritz.

Reports of Standing Committees

Senator Lovelady submitted the following reports:

Austin, Texas,
March 8, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred S. B. No. 172, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but the Committee substitute attached hereto do pass and be printed.

LOVELADY, Chairman.

Senator Moffett submitted the following reports:

Austin, Texas,
March 9, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. C.